

State of Rhode Island and Providence Plantations

JOURNAL
-OF THE-
HOUSE OF REPRESENTATIVES

JANUARY SESSION of the General Assembly begun and held at the State House in the City of Providence on Tuesday, the sixth day of January in the year of Our Lord one thousand nine hundred and ninety-eight.

Volume 125, No. 35 Wednesday, April 1, 1998 Thirty-fifth Day

The House of Representatives meets at the State House in Providence, Wednesday, April 1, 1998, and is called to order at 3:33 o'clock P.M., by the Honorable John B. Harwood, Speaker.

The roll is called and a quorum is declared present with 97 members present and 3 members absent as follows:

PRESENT - 97; The Honorable Speaker Harwood and Representatives Aiken-Salandria, Ajello, Amaral, Anderson, M., Anderson, S., Barone, Barr, Benoit, Benson, Bierman, Bramley, Burlingame, Callahan, Cambio, Campbell, Carpenter, Carroll, Carter, Caruolo, Castro, Cicilline, Coderre, Coelho, Costantino, Crowley, Dennigan, DeSimone, Faria, Farrell, Ferguson, Flaherty, Fleury, Fox, Garvey, George, Giannini, Ginaitt, Heffner, Henseler, Hetherington, Iannitelli, Inman, Iwuc, Jacquard, Kelley, Kelso, Kennedy, Kilmartin, Lally, Lanzi, Levesque, C., Levesque, G., Lima, Little, Long, Lopes, Lowe, Malik, Martineau, McCauley, McGowan, McNamara, Menard, Mesoellella, Metts, Millard, Montalbano, Montanaro, Moura, Murphy, Naughton, Palangio, Palumbo, Panciera, Picard, Pisaturo, Quick, Rabideau, Reilly, Rose, Russo, Salisbury, San Bento, Scott, Shavers, Sherlock, Simonian, Slater, Smith, Voccola, Walter, Wasylyk, Watson, Williams, Williamson, Winfield.

ABSENT - 3; Representatives Anzeveno, Munschy, Fires.

INVOCATION

The Honorable Speaker presents Representative C. Levesque, who delivers the Invocation and leads the membership in the Pledge of Allegiance to the Flag.

(For Invocation, see Appendix, this Journal.)

CORRECTION

By unanimous consent, the House Journal of Tuesday, March 31, 1998, is hereby corrected on page 3, column 1, line 14, by deleting (98-H 8932) and inserting (98-H 8923).

Also: Page 1, column 2, by deleting lines 16, 17 and 18.

APPROVAL OF RECORD

By unanimous consent, the House Journal of Tuesday, March 31, 1998, is approved as corrected.

COMMUNICATION FROM THE SENATE

A message from the Honorable Senate transmits with announcement of passage, of the following measures:

(98-S 2570) An Act relating to businesses and professions Board of Medical Licensure and Discipline.

Read and referred to the Committee on Health, Education and Welfare.

(98-S 2323 as amended) An Act relating to public assistance act.

Read and referred to the Committee on Judiciary.

(98-S 2899) An Act validating and ratifying an amendment to the Home Rule Charter of the city of Pawtucket.

Read and referred to the Committee on Corporations.

(98-S 2807) An Act relating to Catholic cemeteries - increase holdings.

Read and referred to the Committee on Corporations.

(98-S 2662 as amended) An Act relating to the award of municipal contracts.

Read and referred to the Committee on Corporations.

(98-S 2631 as amended) An Act relating to regional tourism district.

Read and referred to the Committee on Corporations.

(98-S 2413 as amended) An Act relating to theft, embezzlement, false pretenses and misappropriations.

Read and referred to the Committee on Judiciary.

(98-S 2448 as amended) An Act relating to domestic abuse prevention

Read and referred to the Committee on Judiciary.

(98-S 2466) An Act relating to domestic violence.

Read and referred to the Committee on Judiciary.

(98-S 2825) An Act relating to Family Court.

Read and referred to the Committee on Judiciary.

(98-S 2543) An Act relating to judicial selection.

Read and referred to the Committee on Judiciary.

(98-S 2735 as amended) An Act relating to victim's rights.

Read and referred to the Committee on Judiciary.

(98-S 2832 as amended) An Act relating to human services Medicaid managed care fraud.

Read and referred to the Committee on Judiciary.

(98-S 2424) An Act relating to the Kingston Fire District in the town of South Kingstown.

Read and referred to the Committee on Corporations.

(98-S 2789) An Act relating to the town of Glocester.

Read and referred to the Committee on Corporations.

(98-S 2886) An Act relating to taxation of real estate construction- Smithfield.

Read and referred to the Committee on Corporations.

(98-S 2594) An Act relating to towns and cities Municipal Court town of Bristol.

Read and referred to the Committee on Corporations.

(98-S 2790) An Act relating to taxation - town of Glocester.

Read and referred to the Committee on Corporations.

(98-S 2006) (Substitute "A") An Act relating to towns and cities - retirement of municipal employees.

Read and referred to the Committee on Finance.

(98-S 2343) (Substitute "A") An Act relating to taxation - small business tax credit.

Read and referred to the Committee on Finance.

(98-S 2526) (Substitute "A") An Act relating to taxation - personal income tax.

Read and referred to the Committee on Finance.

(98-S 2718) An Act relating to taxation.

Read and referred to the Committee on Finance.

(98-S 3007) An Act relating to taxation.

Read and referred to the Committee on Corporations.

ANNOUNCEMENT

Representative Ronald Munschy will be absent from session until further notice, due to family illness.

GUESTS

Representatives Kelley, Benson, Sherlock, Walter, McNamara, S. Anderson and Kilmartin welcome to the House as guests Fran Campbell, Past President of the Retired Teachers and sister of Representative Sherlock along with all the

Retired Teachers.

Representative Kelley presents a citation to the Retired Teachers.

REPORTS OF COMMITTEES

TRANSFER OF BILLS

Representative Flaherty, for the Committee on Judiciary, reports back the following measure, with recommendation of transfer to the Committee on Finance:

(98-H 7713) An Act relating to criminal offenses - weapons. Received and referred to the Committee on Finance.

Representative Benoit, for the Committee on Health, Education and Welfare, reports back the following measure, with recommendation of transfer to the Committee on Finance:

(98-H 8780) An Act relating to rights of nursing home patients. Received and referred to the Committee on Finance.

COMMITTEE ON CORPORATIONS

Representative Martineau, for the Committee on Corporations, reports back the following measures, with recommendation of passage:

(98-H 8803) An Act to vacate the forfeiture or revocation of the charter of David M. King & Son, Inc.

Received and ordered to be placed on the Consent Calendar.

(98-S 3011) An Act reinstating and restoring forfeited or revoked corporate charters.

Received and ordered to be placed on the Consent Calendar.

(98-S 2971) An Act reinstating and restoring forfeited or revoked corporate charters.

Received and ordered to be placed on the Consent Calendar.

(98-S 2920) An Act reinstating and restoring forfeited or revoked corporate charters.

Received and ordered to be placed on the Consent Calendar.

(98-S 2507) An Act reinstating and restoring forfeited or revoked corporate charters. Received and ordered to be placed on the Consent Calendar.

(98-S 2353) An Act reinstating and restoring forfeited or revoked corporate charters.

Received and ordered to be placed on the Consent Calendar.

(98-H 8477) An Act relating to the town of Portsmouth - Juvenile Hearing Board.

Received and ordered to be placed on the Consent Calendar.

(98-H 8471) An Act relating to enterprise zones.

Received and ordered to be placed on the Consent Calendar.

COMMITTEE ON JUDICIARY

Representative Flaherty, for the Committee on Judiciary, reports back the following measures, with recommendation of passage:

(98-H 7598) An Act relating to criminal procedure.

Received and ordered to be placed on the Calendar.

(98-H 7278) (Substitute "A") An Act relating to municipal detention facilities.

Received and ordered to be placed on the Calendar.

(98-H 7272) (Substitute "A") An Act relating to criminal offenses- sexually violent predators.

Received and ordered to be placed on the Calendar.

(98-H 7297) An Act relating to correctional institutions- parole hearings.

Received and ordered to be placed on the Calendar.

(98-H 7717) An Act relating to state affairs and government. Received and orderer to be placed on the Calendar.

(98-H 7358 as amended) An Act relating to criminal offenses- treason and related offenses.

Received and ordered to be placed on the Calendar. cc

(98-H 7113) (Substitute A as amended) An Act relating to criminal offenses - weapons.

Received and ordered to be placed on the Calendar.

(98-H 7711) An Act relating to motor and other vehicles - motor vehicle reparations act.

Received and ordered to be placed on the Calendar.

(98-H 7352 as amended) An Act relating to bail and recognizance.

Received and ordered to be placed on the Calendar.

COMMITTEE ON CORPORATIONS

Representative Martineau, for the Committee on Corporations, reports back the following measures, with recommendation of passage:

(98-H 8862) An Act relating to taxation.

Received and ordered to be placed on the Calendar.

(98-H 7978) (Substitute "A") An Act relating to towns and cities - award of municipal contracts.

Received and ordered to be placed on the Calendar.

COMMITTEE ON LABOR

Representative Faria, for the Committee on Labor, reports back the following measure, with recommendation of passage:

(98-H 7268 as amended) An Act relating to health and safety.

Received and ordered to be placed on the Calendar.

NOTICES OF BILL/RESOLUTION

INTRODUCTION

Representative McNamara gives notice that on the next legislative day he will introduce a measure concerning motor and other vehicles. This notice is given in compliance with House Rule 41.

JOSEPH M. McNAMARA
Representative, District 29

Received and ordered to be placed on file.

Representative S. Anderson gives notice that on the next legislative day he will introduce a measure concerning Sunday work permits. This notice is given in compliance with House Rule 41.

STEPHEN J. ANDERSON
Representative, District 42

Received and ordered to be placed on file.

Representative Heffner gives notice that on the next legislative day he will introduce a measure concerning probate practice. This notice is given in compliance with House Rule 41.

MARK B. HEFFNER
Representative, District 88

Received and ordered to be placed on file.

NEW BUSINESS

Representative Salisbury introduce (98-H 8924) Joint Resolution making an appropriation of \$2,500 for Scituate Middle and High School Band and Chorus Program.

Read and referred to the Committee on Finance.

Representative Salisbury introduce (98-H 8925) Joint Resolution making an appropriation of \$5,000 for Pottersville Fire Department.

Read and referred to the Committee on Finance.

Representative Salisbury introduces (98-H 8926) An Act relating to taxation - collection of taxes generally.

Read and referred to the Committee on Corporations.

Representatives Lowe, Burlingame and Benoit introduce (98-H 8927) An Act relating to towns and cities - general powers.

Read and referred to the Committee on Judiciary.

Representative Russo introduces (98-H 8928) An Act relating to taxation - municipalities.

Read and referred to the Committee on Corporations.

Representatives Barr, Menard, Montalbano and Montanaro introduce (98-H 8929) An Act relating to state building code.

Read and referred to the Committee on Corporations.

Representatives San Bento, Montalbano and Reilly introduce (98-H 8930) An Act relating to bank taxes.

Read and referred to the Committee on Finance.

Representatives Lowe, Burlingame and Benoit introduce (98-H 8931) An Act relating to real estate conveyance tax.

Read and referred to the Committee on Finance.

Representatives Lopes, Lanzi, Walter, Shavers and Metts introduce (98-H 8932) Joint Resolution creating a special legislative commission to study the policies, procedures and practices of the Department of Children, Youth and Families relative to the placement of children.

Read and referred to the Committee on Health, Education and Welfare.

Representative Caruolo, Salisbury and Henseler introduce (98-H 8933) Joint Resolution inviting His Honor, the Presiding Officer of the Senate, and the Honorable Senate to join the House of Representatives in Joint Session for the purpose of receiving an address by the Commissioner of Elementary and Secondary Education regarding the Rhode Island Student Investment Initiative.

Representative Caruolo requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on motion of Representative Caruolo, seconded by Representative Salisbury, and by unanimous consent, on a voice vote.

Representatives Bramley and Montanaro introduce (98-H 8934) An Act congratulating Aaron Paolino on attaining the rank of Eagle Scout.

Representative Bramley requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, on motion of Representative Bramley, seconded by Representative Caruolo, and by unanimous consent, on a voice vote.

Representative Lally introduces (98-H 8935) Joint Resolution making an appropriation of \$114.07 to pay the claim of Christopher Powers of 160 Indian Trail, Saunderstown, Rhode Island.

Read and referred to the Joint Committee on Accounts and Claims.

Representatives Palangio and Cambio introduces (98-H 8936) Joint Resolution making an appropriation of \$10,000 for the Rhode Island School for the Deaf.

Read and referred to the Committee on Finance.

Representatives Moura and Smith introduces (98-H 8937) Joint Resolution making an appropriation of \$50,000 for Recycling for Rhode Island Education.

Read and referred to the Committee on Finance.

Representatives Barr and Menard introduces (98-H 8938) Joint Resolution making an appropriation of \$5,000 for Fusion Works Dance Company.

Read and referred to the Committee on Finance.

Representative S. Anderson introduces (98-H 8939) Joint Resolution making an appropriation of \$1540.65 to pay the claim of Amica Mutual Insurance Company, P.O.Box 6008, Providence, Rhode Island 02940 as subrogee of George P. Floru and Angela Floru of 510 Woonsocket Hill Road, North Smithfield, Rhode Island 02896.

Read and referred to the Joint Committee on Accounts and Claims.

Representative S. Anderson introduces (98-H 8940) Joint Resolution making an appropriation of \$573.42 to pay the claim of Amica Insurance Company, P.O. Box 6008, Providence, Rhode Island as subrogee of Patricia Clark of 114 Kentland Avenue, North Providence, Rhode Island 02908.

Read and referred to the Joint Committee on Accounts and Claims.

CALENDAR

From the Calendar are taken:

1. (98-H7464) (Substitute "A") An Act relating to motor vehicles.

Committee on Judiciary recommends indefinite postponement of the original bill and passage of Substitute

Representative McNamara moves passage of the act, seconded by Representatives Caruolo, Reilly, Kelley, Quick, Millard, Amaral, Iwuc and Castro By unanimous consent, Representative C. Levesque, seconded by Representatives Ajello, Cicilline, 6. Levesque, Carroll, Moura and Williams, offers the following written motion to amend:

FLOOR AMENDMENT

TO

(98-H 7464) (Substitute "A")

Mr. Speaker:

I hereby move to amend (98-H 7464) (Substitute "A") entitled "AN ACT RELATING TO MOTOR VEHICLES" as follows:

1. On page 3, between lines 25 and 26 insert the following language: "(e) Notwithstanding the provisions of RIGL 31-10-6.1 et seq., violations of subsections (a), (b), (c), and (d) of this section shall be considered secondary offenses, and no motor vehicle may be stopped by any state or municipal law enforcement agency for a violation of said subsections; Provided, however, that nothing in this section shall be construed to limit the application of section 31-22-22, subsections (a) and (b)."

Respectfully submitted,

CHARLES J. LEVESQUE
Representative, District 93

Representatives Cicilline, Ajello and Crowley discuss the amendment.

Representative C. Levesque rises on a point of order for Representative Crowley to speak germane to the amendment.

The Honorable Speaker rules that the Representative is speaking germane to the amendment.

Representatives Crowley, Palumbo, McNamara, Benson, Iwuc, Carroll, Wasylyk, Quick, Metts, Moura, Smith, Amaral, Lima, Caruolo and C. Levesque discuss the amendment.

The motion to amend fails on a roll call vote, 34 members voting in the affirmative and 58 members voting in the negative as follows:

YEAS - 34; Representatives Aiken-Salandria, Ajello, Barr, Benoit, Benson, Burlingame, Cicilline, Coderre, Costantino, Dennigan, DeSimone, Fox, Hetherington, Jacquard, Lally, Lanzi, Levesque, C., Levesque, G., Lima, Little, McGowan, Metts, Montanaro, Moura, Palumbo, Pisaturo, Rabideau, Salisbury, Simonian, Slater, Smith, Wasylyk, Watson, Williams.

NAYS 58; The Honorable Speaker Harwood and Representatives Amaral, Anderson, M., Anderson, S., Barone, Bierman, Bramley, Callahan, Cambio, Campbell, Carpenter, Carter, Caruolo, Castro, Coelho, Crowley, Faria, Farrell, Ferguson, Flaherty, Fleury, Garvey, George, Giannini, Ginaitt, Heffner, Henseler, Iannitelli, Inman, Iwuc, Kelley, Kelso, Kennedy, Kilmartin, Long, Lowe, Malik, Martineau, McNamara, Menard, Mesoletta, Montalbano, Murphy, Naughton, Palangio, Panciera, Picard, Quick, Reilly, Rose, Russo, San Bento, Scott, Shavers, Sherlock, Walter, Williamson, Winfield. By unanimous consent, Representative Quick, seconded by Representatives Kilmartin, Reilly, Ginaitt, McNamara, Kelso and Garvey, offers the following written motion to amend:

FLOOR AMENDMENT

TO

(98-H 7464) (Substitute "A")

Mr. Speaker:

I hereby move to amend (98-H 7464) (Substitute "A") entitled "AN ACT RELATING TO MOTOR VEHICLES" as follows: On page 8, line 3, by deleting the word "upon" and inserting in place thereof the language "90 days after".

Respectfully submitted,

JOAN B. QUICK
Representative, District 94

Representatives Carroll and Caruolo discuss the amendment.

The motion to amend is read and prevails on a roll call vote, 79 members voting in the affirmative and 3 members voting in the negative as follows:

YEAS - 79; The Honorable Speaker Harwood and Representatives Aiken-Salandria, Ajello, Amaral, Anderson, M., Anderson, S., Barone, Benoit, Benson, Bierman, Bramley, Burlingame, Callahan, Cambio, Campbell, Carpenter. Carter, Caruolo, Castro, Cicilline, Coderre, Costantino, Crowley. Dennigan, DeSimone, Faria, Farrell, Ferguson, Flaherty, Fleury, Garvey, Giannini, Ginaitt, Heffner, Henseler, Hetherington, Iannitelli, Inman, Iwuc, Jacquard, Kelley, Kelso, Kennedy, Kilmartin, Lally, Lanzi, Little, Long, Lowe, Martineau, McGowan, McNamara, Menard, Mesolella, Metts, Montalbano, Montanaro, Moura, Murphy, Naughton, Palumbo, Panciera, Picard, Pisaturo, Quick, Rabideau, Reilly, Rose, Salisbury, San Bento, Scott, Sherlock, Simonian, Slater, Smith, Walter, Wasylyk, Watson, Williamson.

NAYS - 3; Representatives Carroll, Lima, Williams. By unanimous consent, Representative Garvey, seconded by Representatives McNamara, Reilly and G. Levesque, offers the following written motion to amend:

FLOOR AMENDMENT
TO

(98-H 7464) (Substitute "A")

Mr. Speaker:

I hereby move to amend (98-H 7464) (Substitute "A") entitled "AN ACT RELATING TO MOTOR VEHICLES" as follows: On page 2, line 18 through 20, by deleting the language "An instruction permit may not be extended or renewed, except, if the holder of the permit provides the registry with evidence of a hardship. A permit may be extended for a reasonable period of time upon proof of hardship" and inserting in place thereof the following language: "A limited instruction permit shall be valid for a period of one (1) year, and may be extended for a reasonable period of time if the holder of the permit provides the registry with evidence of a hardship"

Respectfully submitted,

EUGENE F. GARVEY

Representative, District 81

The motion to amend is read and prevails on a roll call vote, 90 members voting in the affirmative and 1 member voting in the negative as follows:

YEAS - 90; The Honorable Speaker Harwood and Representatives Aiken-Salandria, Ajello, Amaral, Anderson, M., Anderson, S., Barone, Barr, Benoit, Benson, Bierman, Bramley, Burlingame, Callahan, Cambio, Campbell, Carpenter, Carter, Caruolo, Castro, Cicilline, Coderre, Coelho, Costantino, Crowley, Dennigan, DeSimone, Faria, Farrell Ferguson, Flaherty, Fleury, Fox, Garvey, George, Giannini, Ginaitt, Heffner, Henseler, Hetherington, Iannitelli, Inman, Iwuc, Jacquard, Kelley, Kelso, Kennedy, Kilmartin, Lally, Lanzi, Levesque, C., Levesque, G., Lima, Little, Long, Lowe, Martineau, McGowan, McNamara, Menard, Mesolella, Metts, Montalbano, Montanaro, Moura, Murphy, Naughton, Palangio, Palumbo, Panciera, Picard, Pisaturo, Quick, Rabideau, Reilly, Rose, Russo, Salisbury, San Bento, Scott, Shavers, Sherlock, Simonian, Slater, Smith, Wasylyk, Watson, Williams, Williamson, Winfield.

NAYS - 1; Representative Carroll. By unanimous consent, Representative Carroll, seconded by Representative C. Levesque, offers the following written motion to amend:

FLOOR AMENDMENT

TO cc

(98-H 7464) (Substitute "A")

Mr. Speaker:

I hereby move to amend (98-H 7464) (Substitute "A") entitled "AN ACT RELATING TO MOTOR VEHICLES" as follows: On page 3 between lines 8 and 9 add the following letter and language: "(d) when driving to or from an organized school activity."

Respectfully submitted,

MARY ANN F. CARROLL
Representative, District 15

Representatives Carroll, Costantino, Jacquard, Iwuc, Hetherington, McNamara and Long discuss the amendment.

The motion to amend fails on a roll call vote, 30 members voting in the affirmative and 61 members voting in the negative as follows:

YEAS - 30; Representatives Aiken-Salandria, Ajello, Barr, Benoit, Burlingame, Carpenter, Carroll, Cicilline, Coderre, Dennigan, DeSimone, Hetherington, Kilmartin, Lally, Lanzi, Levesque, C., Levesque, G., Lima, McGowan, Menard, Mesolella, Montanaro, Moura, Murphy, Pisaturo, Scott, Simonian, Slater, Smith, Williams.

NAYS - 61; The Honorable Speaker Harwood and Representatives Amaral, Anderson, M., Anderson, S., Barone, Benson, Bierman, Bramley, Callahan, Cambio, Campbell, Carter, Caruolo, Castro, Coelho, Costantino, Crowley, Faria, Farrell, Ferguson, Flaherty, Fleury, Fox, Garvey, George, Giannini, Ginaitt, Heffner, Henseler, Iannitelli, Inman, Iwuc, Jacquard, Kelley, Kelso, Kennedy, Little, Long, Lopes, Lowe, Malik, Martineau, McNamara, Montalbano, Naughton, Palangio, Palumbo, Panciera, Picard, Quick, Rabideau, Reilly, Rose, Salisbury, San Bento, Shavers, Sherlock, Wasylyk, Watson, Williamson, Winfield. By unanimous consent, Representative Carroll, seconded by Representative Ajello, offers the following written motion to amend:

FLOOR AMENDMENT

TO

(98-H 7464) (Substitute "A")

Mr. Speaker:

I hereby move to amend (98-H 7464) (Substitute "A") entitled "AN ACT RELATING TO MOTOR VEHICLES" as follows: On page 3, line 19, by deleting the word and number "twelve (12)" and adding the word and number, "six (6)".

Respectfully submitted,

MARY ANN F. CARROLL
Representative, District 15

Representatives Carroll and McNamara discuss the amendment.

The motion to amend fails on a roll call vote, 32 members voting in the affirmative and 53 members voting in the negative as follows:

YEAS - 32; Representatives Aiken-Salandria, Ajello, Anderson, S., Barr, Burlingame, Carroll, Cicilline, Coderre, Costantino, DeSimone, Fox, Ginaitt, Hetherington, Lally, Lanzi, Levesque, C., Levesque, G., Lima, McGowan, Menard, Mesolella, Montanaro, Moura, Murphy, Naughton, Palangio, Pisaturo, Simonian, Slater, Smith, Williams, Williamson.

NAYS 53; The Honorable Speaker Harwood and Representatives Amaral, Anderson, M., Barone, Benoit, Bierman, Bramley, Callahan, Cambio, Campbell, Carpenter, Carter, Caruolo, Crowley, Dennigan, Faria, Farrell, Ferguson, Flaherty, Fleury, Garvey, George, Giannini, Heffner, Henseler, Iannitelli, Inman, Iwuc, Jacquard, Kelley, Kelso, Kennedy, Kilmartin, Little, Long, Lowe, Malik, Martineau, McNamara, Montalbano, Palumbo, Panciera, Picard, Quick, Rabideau, Salisbury, San Bento, Scott, Shavers, Sherlock, Wasylyk, Watson, Winfield. By unanimous consent, Representative Carroll, seconded by Representatives Cicilline, Ajello, Lally and Lima, offers the following written motion to amend:

FLOOR AMENDMENT

TO

(98-H 7464) (Substitute "A")

Mr. Speaker:

I hereby move to amend (98-H 7464) (Substitute "A") entitled "AN ACT RELATING TO MOTOR VEHICLES" as follows: On page 2, line 28, add the following language after the words "six (6) months," add the following language: "or three months, and possesses a certificate from a certified driving school, or three (3) months and possesses an affidavit by a supervised driver that the person has had a minimum of fifty (50) hours of experience behind the wheel or".

Respectfully submitted,

MARY ANN F. CARROLL
Representative, District 15

Representatives Carroll, McNamara, Amaral, Long and Lally discuss the amendment.

The motion to amend fails on a roll call vote, 40 members voting in the affirmative and 52 members voting in the negative as follows:

YEAS - 40; Representatives Aiken-Salandria, Ajello, Amaral, Anderson, S., Barr, Benoit, Benson, Burlingame, Callahan, Carroll, Carter, Cicilline, Coderre, Coelho, DeSimone, Fox, George, Hetherington, Jacquard, Kelso, Kilmartin, Lally, Lanzi, Levesque, C., Levesque, G., Lima, McGowan, Menard, Montanaro, Moura, Murphy, Pisaturo, Salisbury, Scott, Simonian, Slater, Smith, Wasylyk, Williams, Williamson.

NAYS - 52; The Honorable Speaker Harwood and Representatives Anderson, M., Barone, Bierman, Bramley, Cambio, Campbell, Carpenter, Caruolo, Castro, Costantino, Crowley, Dennigan, Faria, Farrell, Ferguson, Flaherty, Fleury, Garvey, Giannini, Ginaitt, Heffner, Henseler, Iannitelli, Inman, Iwuc, Kelley, Kennedy, Little, Long, Lowe, Malik, Martineau, McNamara, Metts, Millard, Montalbano, Naughton, Palangio, Palumbo, Panciera, Picard, Quick, Rabideau, Reilly, Rose, Russo, San Bento, Shavers, Sherlock, Watson, Winfield.

Representatives Cicilline, Lima, Salisbury, Metts, C. Levesque, McNamara, Burlingame, Hetherington, Kelso, Wasylyk, Lopes and Caruolo discuss the act.

Representative Kilmartin, seconded by Representative Crowley, moves the previous question. The motion to move the previous question fails on a roll call vote, 36 members voting in the affirmative and 51 members voting in the negative as follows:

YEAS - 36; The Honorable Speaker Harwood and Representatives Aiken-Salandria, Amaral, Anderson, M., Anderson, S., Benson, Campbell, Carter, Castro, Coelho, Crowley, Faria, Flaherty, Fleury, Garvey, Iannitelli, Iwuc, Kelley, Kennedy, Kilmartin, Lally, McCauley, McGowan, McNamara, Moura, Naughton, Palumbo, Panciera, Rose, Russo, Scott, Sherlock, Smith, Watson, Williamson, Winfield.

NAYS - 51; Representatives Ajello, Barone, Barr, Benoit, Bierman, Bramley, Burlingame, Callahan, Cambio, Carpenter, Carroll, Caruolo, Cicilline, Coderre, Costantino, Dennigan, DeSimone, Farrell, Ferguson, Fox, George, Giannini, Ginaitt, Heffner, Henseler, Hetherington, Inman, Jacquard, Kelso, Levesque, C., Levesque, G., Lima, Little, Long, Lopes, Lowe, Malik, Menard, Millard, Montanaro, Murphy, Palangio, Picard, Pisaturo, Reilly, Salisbury, San Bento, Shavers, Slater, Wasylyk, Williams.

Representatives Carroll, Burlingame and Caruolo discuss the act. The bill marked Substitute cc read and passed, as amended, and the original bill indefinitely postponed, on a roll call vote, 58 members voting in the affirmative and 33 members voting in the negative as follows:

YEAS - 58; The Honorable Speaker Harwood and Representatives Amaral, Anderson, M., Anderson, S., Barone, Benoit, Benson, Bierman, Bramley, Callahan, Cambio, Carpenter, Carter, Caruolo, Castro, Coelho, Crowley, Faria, Farrell, Ferguson, Flaherty, Fleury, Garvey, Giannini, Ginaitt, Heffner, Henseler, Iannitelli, Inman, Iwuc, Jacquard, Kelley, Kelso, Kennedy, Kilmartin, Long, Lopes, Lowe, Malik, Martineau, McNamara, Millard, Montalbano, Naughton, Palangio, Palumbo, Panciera, Picard, Rabideau, Reilly, Rose, Russo, San Bento, Scott, Shavers, Sherlock, Williamson, Winfield.

NAYS - 33; Representatives Ajello, Barr, Burlingame, Campbell, Carroll, Cicilline, Coderre, Costantino, DeSimone, Fox, George, Hetherington, Lally, Lanzi, Levesque, C., Levesque, G., Lima, Little, McCauley, McGowan, Menard, Mesolella, Metts, Montanaro, Moura, Murphy, Pisaturo, Salisbury, Slater, Smith, Wasylyk, Watson, Williams.

REQUESTS

Representative Aiken-Salandria requests the Journal to reflect that if she had voted on (98-H 7464) (Substitute "A"), she would have voted in the negative.

There is no objection.

Representative Dennigan requests the Journal to reflect that if she had voted on (98-H 7464) (Substitute "A"), she would have voted in the affirmative.

There is no objection. On suggestion of the Majority Leader Caruolo, and by unanimous consent, the Calendar for today is continued to tomorrow, Thursday, April 2, 1998.

ANNOUNCEMENTS

Representative Winfield announces that the Committee on Special Legislation will meet today at the rise of the House.

Also:

Representative Benoit announces that the Committee on Health, Education and Welfare will meet today at the rise of the House in Room 135 of the State House.

Also:

Representative Sherlock announces that the Committee on Finance will meet today at the rise of the House.

Also:

Representative Murphy announces that the Committee on Judiciary will meet today at the rise of the House.

Also:

Representative Faria announces that the Committee on Labor will meet today at the rise of the House in the House Lounge of the State House.

COMMUNICATION FROM THE SENATE

A message from the Honorable Senate transmits with announcement of passage, of the following measure:

(98-S 3034) An Act reinstating and restoring forfeited or revoked corporate charters.

Representative Montanaro requests unanimous consent for immediate consideration.

There is no objection.

Read and passed, in concurrence, on motion of Representative Montanaro, seconded by Representatives Menard and Pisaturo, and by unanimous consent, on a roll call vote, 67 members voting in the affirmative and 0 members voting in the negative as follows:

YEAS - 67; The Honorable Speaker Harwood and Representatives Aiken-Salandria, Ajello, Amaral, Anderson, M., Anderson, S., Barone, Barr, Benoit, Benson, Bierman, Bramley, Burlingame, Callahan, Cambio, Carpenter, Carroll, Carter, Caruolo, Castro, Cicilline, Coderre, Coelho, Costantino, Crowley, Dennigan, DeSimone, Faria, Farrell, Ferguson, Flaherty, Fleury, Fox, Garvey, Giannini, Henseler, Hetherington, Iwuc, Kelley, Kelso, Kilmartin, Lally,

Lanzi, Levesque, G., Lima, Malik, McCauley, McGowan, McNamara, Menard, Metts, Millard, Montanaro, Moura, Murphy, Palumbo, Pisaturo, Rabideau, Reilly, Salisbury, Scott, Shavers, Sherlock, Slater, Smith, Williams, Winfield.

NAYS-0.

TRANSMITTAL

By unanimous consent, all matters on the Clerk's desk are ordered to be transmitted to His Excellency, the Governor, and to the Honorable Senate forthwith.

ADJOURNMENT

At 5:58 o'clock P.M. on motion of Representatives Moura and Lopes, and as a further mark of respect to the memory of Carolyn Brassil; on motion of Representative Barr, and as a further mark of respect to the memory of Roger P. Lamarre; on motion of Representative Castro, and as a further mark of respect to the memory of Mrs. B.J. Clanton; on motion of Representative Kelley, and as a further mark of respect to the memory of Philip L. Kelly, seconded by Representatives Caruolo Garvey and Long, the House adjourns, on a unanimous rising vote.

LINDA McELROY
Recording Clerk

Appendix

INVOCATION

REPRESENTATIVE CHARLES J. LEVESQUE Dear

Lord, on this day of all days, help us to keep our sense of humor, no matter what the situation or provocation.Amen.

TRANSMITTED TO THE GOVERNOR

(98-S 3034) An Act reinstating and restoring forfeited or revoked corporate charters.

Appendix

CONSENT CALENDAR

In order for Tuesday, April 7, 1998:

- 1. (98-H8803) An Act to vacate the forfeiture or revocation of the charter of David M. King Son, Inc.

Committee on Corporations recommends passage.

2. (98-S 3011) An Act reinstating and restoring forfeited or revoked corporate charters.

Committee on Corporations recommends passage in concurrence.

3. (98-S 2971) An Act reinstating and restoring forfeited or revoked corporate charters.

Committee on Corporations recommends passage in concurrence.

4. (98-S 2920) An Act reinstating and restoring forfeited or revoked corporate charters.

Committee on Corporations recommends passage in concurrence.

5. (98-S 2507) An Act reinstating and restoring forfeited or revoked corporate charters.

Committee on Corporations recommends passage in concurrence.

6. (98-S 2353) An Act reinstating and restoring forfeited or revoked corporate charters.

Committee on Corporations recommends passage in concurrence.

7. (98-H8477) An Act relating to the town of Portsmouth- Juvenile Hearing Board.

Committee on Corporations recommends passage.

8. (98-H8471) An Act relating to enterprise zones.

Committee on Corporations recommends passage.

LOUIS D'ANTUONO

Reading Clerk

Wednesday, April 1, 1998

Appendix

CALENDAR

In order for Thursday, April 2, 1998:

1. (98-H7390) An Act relating to payment of fines.

Committee on Judiciary recommends passage.

2. (98-H7117) An Act relating to motor and other vehicles- special stops required.

Committee on Judiciary recommends passage.

3. (98-H7890) An Act relating to courts and civil procedure- courts.

Committee on Judiciary recommends passage.

4. (98-H7541) An Act relating to criminal procedure - victim's rights.

Committee on Judiciary recommends passage.

5. (98-H7744) An Act relating to judicial selection.

Committee on Judiciary recommends passage.

6. (98-H7499) An Act relating to criminal procedure - bounty hunters.

Committee on Judiciary recommends passage.

7. (98-H8310) An Act relating to judicial selection.

Committee on Judiciary recommends passage.

8. (98-H7184) An Act relating to identification and apprehension of criminals.

Committee on Judiciary recommends passage.

9. (98-H8738 as amended) An Act authorizing the establishment of a Municipal Court in East Greenwich.

Committee on Judiciary recommends passage as amended.

10. (98-H7818) An Act relating to residency - Woonsocket.

Committee on Special Legislation recommends passage.

11. (98-H8252) An Act relating to insurance.

Committee on Corporations recommends passage.

12. (98-H8088 as amended) An Act relating to health and safety - long term care.

Committee on Health, Education and Welfare recommends passage as amended.

13. (98-H8304 as amended) An Act relating to the Health and Educational Building Corporation.

Committee on Health, Education and Welfare recommends passage as amended.

14. (98-H7728) An Act relating to education - curriculum.

Committee on Health, Education and Welfare recommends passage.

15. (98-H7386) (Substitute "A") An Act relating to health and safety - vital records.

Committee on Health, Education and Welfare recommends indefinite postponement of the original bill and passage of Substitute "A".

16. (98-H7628) An Act relating to health and safety.

Committee on Health, Education and Welfare recommends passage.

17. (98-H8311) (Substitute "A") An Act relating to state affairs and government -confidentiality of records.

Committee on Health, Education and Welfare recommends indefinite postponement of the original bill and passage of Substitute "A".

Appendix

CALENDAR

In order for Tuesday, April 7, 1998:

1. (98-H8862) An Act relating to taxation.

Committee on Corporations recommends passage.

2. (98-H7978) (Substitute "A") An Act relating to towns and cities - award of municipal contracts.

Committee on Corporations recommends indefinite postponement of the original bill and passage of Substitute "A".

3. (98-H7598) An Act relating to criminal procedure.

Committee on Judiciary recommends passage.

4. (98-H7278) (Substitute "A") An Act relating to municipal detention facilities.

Committee on Judiciary recommends indefinite postponement of the original bill and passage of Substitute ~~A~~.

5. (98-H7272) (Substitute "A") An Act relating to criminal offenses - sexually violent predators.

Committee on Judiciary recommends indefinite postponement of the original bill and passage of Substitute cc A"

6. (98-H7297) An Act relating to correctional institutions- parole hearings.

Committee on Judiciary recommends passage.

7. (98-H7717) An Act relating to state affairs and government.

Committee on Judiciary recommends passage.

8. (98-H7358 as amended) An Act relating to criminal offenses- treason and related offenses.

Committee on Judiciary recommends passage as amended.

9. (98-H7113) (Substitute "A" as amended) An Act relating to criminal offenses - weapons.

Committee on Judiciary recommends indefinite postponement of the original bill and passage of cc Substitute A as amended.

10. (98-H7268 as amended) An Act relating to health and safety.

Committee on Labor recommends passage as amended.

11. (98-H7711) An Act relating to motor and other vehicles- motor vehicle reparations act.

Committee on Judiciary recommends no passage.

12. (98-H7352 as amended) An Act relating to bail and recognizance.

Committee on Judiciary recommends passage as amended.

LOUIS D'ANTUONO

Reading Clerk

Wednesday, April 1, 1998

As always, your [comments](#) concerning this page are welcomed and appreciated.

Thank you for stopping by!

